

United States District Court

EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

OCWEN LOAN SERVICING, LLC	§	
	§	Civil Action No. 4:17-CV-690
v.	§	(Judge Mazzant/Judge Nowak)
	§	
CLAY B. HEIBERG, IN HIS CAPACITY	§	
AS EXECUTOR OF THE ESTATE OF	§	
GREGORY L. COLLINS, and SUZANNE	§	
M. STANTON, INDIVIDUALLY	§	

MEMORANDUM ADOPTING REPORT AND RECOMMENDATION OF UNITED STATES MAGISTRATE JUDGE

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the Magistrate Judge pursuant to 28 U.S.C. § 636. On February 14, 2019, the report of the Magistrate Judge (Dkt. #49) was entered containing proposed findings of fact and recommendations that Defendant Suzanne M. Stanton's "Rule 60(b)(1) Motion to Open Default Declaration" ("Motion to Set Aside Entry of Default") (Dkt. #47) be granted, the Clerk's Entry of Default (Dkt. #19) be set aside, and Plaintiff Ocwen Loan Servicing, LLC's Motion for Default Judgment (Dkt. #18) be denied.

Having received the report of the United States Magistrate Judge, and no objections thereto having been timely filed, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the Magistrate Judge's report as the findings and conclusions of the Court.

It is, therefore, **ORDERED** that Defendant Stanton's Motion to Set Aside Entry of Default (Dkt. #47) is **GRANTED**, the Clerk's Entry of Default (Dkt. #19) is **SET ASIDE**, and Plaintiff's Motion for Default Judgment (Dkt. #18) is **DENIED**.

It is further **ORDERED** that within fourteen (14) days of the date of this Memorandum, Defendant Stanton shall file an answer or other responsive pleading to Plaintiff's Complaint.

IT IS SO ORDERED.

SIGNED this 19th day of March, 2019.



AMOS L. MAZZANT
UNITED STATES DISTRICT JUDGE